

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

| | | |
|---|---|--------------------------------|
| KATHY LASKY, |) | CV-05-53-BU-RFC |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| |) | ORDER ADOPTING FINDINGS |
| |) | AND RECOMMENDATIONS OF |
| CITY AND COUNTY OF BUTTE- |) | U.S. MAGISTRATE JUDGE |
| SILVER BOW, JOHN WALSH, |) | |
| JUDITH JACOBSEN and |) | |
| TIM CLARK, as individuals and in |) | |
| their official capabilities, |) | |
| |) | |
| Defendants. |) | |
| |) | |

On July 17, 2006, United States Magistrate Judge Richard W. Anderson entered his Findings and Recommendation. Magistrate Judge Anderson recommends this Court deny Plaintiff's Motion for Default Judgment (*Doc. 17*) and give Plaintiff two weeks to obtain proper service of process over Defendant John Walsh.

Upon service of a magistrate judge's findings and recommendation, a party has 10 days to file written objections. 28 U.S.C. § 636(b)(1). In this matter, no party filed objections to the July 17, 2006 Findings and Recommendation. Failure to object to a magistrate judge's findings and recommendation waives all objections to the findings of fact. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1999). However, failure to object does not relieve this Court of its burden to review de novo the magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After a review of the record and applicable law, this Court finds Magistrate Judge Anderson's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety.

Accordingly, **IT IS HEREBY ORDERED** Plaintiff's Motion for Default Judgment (Doc. 17) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff is allotted two weeks to obtain proper service of process over Defendant John Walsh.¹

The Clerk of Court shall notify the parties of the making of this Order.

DATED the 3d day of August, 2006.

/s/ Richard F. Cebull
RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE

¹According to the Court file, Plaintiff successfully served Defendant Walsh on August 2, 2006.